

1 JOHN S. FERRELL (SBN 154914)
2 jsferrell@carrferrell.com
3 ROBERT J. YORIO (SBN 93178)
4 yorio@carrferrell.com
5 ILENE H. GOLDBERG (SBN 168051)
6 igoldberg@carrferrell.com
7 CARR & FERRELL LLP
8 120 Constitution Drive
9 Menlo Park, California 94025
10 Telephone: (650) 812-3400
Facsimile: (650) 812-3444

11 LOUIS M. HEIDELBERGER (Pro Hac Vice)
12 Louis.heidelberger@gmail.com
13 THE LAW OFFICES OF LOUIS M. HEIDELBER, ESQ. LLC.
14 1229 Laurel Oak Lane
15 York, PA 17403
Telephone: (215) 284-8910
Facsimile: (267) 388-3996

16 Attorneys for Plaintiff
17 TECHNICAL LED INTELLECTUAL PROPERTY, LLC

18
19 UNITED STATES DISTRICT COURT
20
21 NORTHERN DISTRICT OF CALIFORNIA

22
23 TECHNICAL LED INTELLECTUAL
24 PROPERTY, LLC, a Delaware limited
liability company,

25 Plaintiff,

26 v.

27 AEON LABS, LLC, a California limited
28 liability company,

Defendant.

Case No. 3:18-cv-01847-WHA

**DECLARATION OF LOUIS M.
HEIDELBERGER IN SUPPORT OF
REFILED ADMINISTRATIVE MOTION TO
FILE UNDER SEAL DOCUMENTS IN
SUPPORT OF PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT AGAINST AEON
LABS, LLC**

COMPLAINT FILED: 03/26/2018

29
30
31
32
33
34
35
36 1. I am attorney for Technical LED Intellectual Property LLC. ("Tech LED").
37
38 The following is within my personal knowledge and if called upon as a
witness, I could and would competently testify thereto as follows.

1

2. On October 28, 2019, Tech LED filed an Administrative Motion to file
3 specified documents under seal. DKT No.44. By Order dated December 2,
4 2019, the Court denied the originally filed motion but granted leave to file a
5 revised Administrative Motion to Seal within three days. DKT No. 48.

6 3. This declaration (“Seal Dec. LH”) is in support of Tech LED’s revised
7 administrative motion to seal selected documents filed concurrently herewith.

8 4. Non-public versions of Exhibits 1-A and 1-B, to Seal Dec LH, namely Exhibits
9 “G” (as corrected) and “H” to the Declaration of LH in support of its
10 Memorandum and Evidence in Support of Plaintiff’s Request for Remedies (DKT
11 No. 45); namely, (1) Amazon Confidential Sales Data of Defendant, Ex G; and
12 (2) highly confidential information summarizing Settlement Agreements between
13 Tech LED and Defendants that were prosecuted by Tech LED and the actual
14 Settlement Agreements, Ex H were filed on October 28, 2018 (DKT # 45).

15 5. These documents were submitted in support of Technical LED’s Memorandum
16 and Evidence in Support of Plaintiff’s Request for Remedies against Defendant in
17 connection with Plaintiff’s Request for Default Judgment (DKT # 45). This
18 application is made on the basis that one of the documents produced by Amazon
19 pursuant to Plaintiff’s Subpoena of Amazon, Exhibit “G,” is designated as “
20 Amazon Confidential” and the summary page and documents in Exhibit H are
21 highly confidential and by agreement between Tech LED and the Defendants that
22 have entered into Settlement Agreements with Plaintiff are required to be
23 designated as "HIGHLY CONFIDENTIAL - ATTORNEY'S EYES ONLY." Seal
24 Dec. LH, p. 2.

25

26

27

28

6. As regards Exhibit G, above, it was set forth in the Court's Decision (DKT 49, p.6) that the Court had to manually add up the sales. Upon my investigation, I realized that the incorrect Pivot/summary was provided. In Ex. 1, I have inserted the correct Pivot summary for Aeotec products which are the products of Defendant, Aeon Labs, LLC.

7. This request is narrowly tailored to seal only that material for which good cause to seal has been established.

I declare under penalty of perjury under the laws of the State of California and the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct.

Dated: December 3, 2019

By: /s/Louis M. Heidelberger
LOUIS M. HEIDELBERGER (Pro Hac Vice)
Louis.heidelberger@gmail.com
THE LAW OFFICES OF LOUIS M. HEIDELBER, ESQ. LLC.
1229 Laurel Oak Lane
York, PA 17403
Telephone: (215) 284-8910
Facsimile: (267) 388-3996